

(Rev. 5/05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

(1) GURNEY FIREIGHT CORP
(Name of Plaintiff) (Inmate Number)

1181 PADDEN ROAD Smyrna 19977
(Complete Address with zip code)

(2) _____
(Name of Plaintiff) (Inmate Number)

(Complete Address with zip code)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

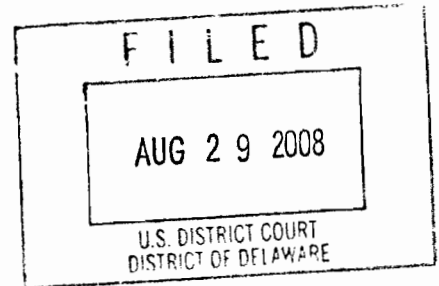
vs.

(1) THE STATE OF DELAWARE - ATTORNEY GENERAL

(2) THE DEPARTMENT OF CORRECTIONS

(3) THE STATE OF DELAWARE STATE POLICE TROOP 3 Police Station
(Names of Defendants)

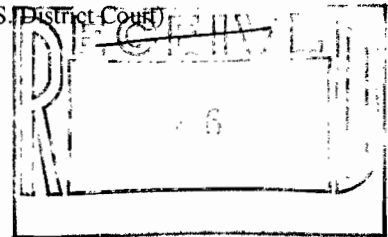
(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)



0 - 555

(Case Number)

(to be assigned by U.S. District Court)



CIVIL COMPLAINT

• • Jury Trial Requested

I. PREVIOUS LAWSUITS

A.

If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

GURNEY FIREIGHT CORP WAS ARRESTED BY THE STATE OF DELAWARE
TROOP 3 POLICE STATION ON ACCOUNT OF A/K/A OF DAVID E JONES
CRIMINAL IMPERSONATION AND WAS ARRESTED BY THE DELAWARE
STATE POLICE AND CORP WAS SUBMITTED TO THE DEPARTMENT OF CORRECTIONS
AND THE DEPARTMENT OF CORRECTIONS CENTER TOOK CORP TO SUSSEX
COUNTY SUPERIOR COURT FOR A STOP LIFE CHANGE

\$50,000.00

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ••Yes ••No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ••Yes ••No
- C. If your answer to "B" is Yes:

1. What steps did you take? NA

2. What was the result? NA

- D. If your answer to "B" is No, explain why not: NA

III. DEFENDANTS (in order listed on the caption)

(1) Name of first defendant: _____

Employed as _____ at _____

Mailing address with zip code: _____

(2) Name of second defendant: _____

Employed as _____ at _____

Mailing address with zip code: _____

(3) Name of third defendant: _____

Employed as _____ at _____

Mailing address with zip code: _____

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. THE DELAWARE STATE POLICE HAS ARREST CORREA ON ACCOUNT OF
IDENTIFYING THE WRONG IDENTITY CORREA WAS ARREST AND SENT
CORREA TO THE DEPARTMENT OF CORRECTIONS UNDER A/K/A
DAVID E JONES NAME) CORREA WAS TRANSPORT TO SUSSEX COUNTY
SUPERIOR COURT, UNDER DAVID E JONES NAME
2. CITIZENSHIP IMPERSONATION @ FALSE IMPERSONATION
SHOPLIFTING

3.

\$50,000⁰⁰

Pain and
Suffering

Amendment 2

V. RELIEF

Amendment 4th

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. SUI FOR FALSE ARREST @ CITIZENSHIP IMPERSONATION AND DID
DO TIME FOR UNDER A/K/A AND VIOLATED CORREA
CONSTITUTIONAL RIGHTS AMENDMENT WAS VIOLATED BY THE STATE OF
DELAWARE

PAIN AND SUFFERING

2. Now the Department of Correction has put in the wrong Effective date
as 12/6/87 in the staff notation with Computer System A STAFF, From
the Department of Correction has made a error on the Effective date
the Effective date is October 11 2007 is the correct Effective date
October 11, 2007 to October 11 2008) with 24 day good time that will
take it to Sept. 16 2008 for to be Release From the Department
of Correction
3. _____

See Sentence online

With Time previously served was not credit from
October 11, 2007. But the Department should has credit
but they did not they start date 12/6/87 is the wrong Effective
date

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 17 day of August, 2008.

Burgo F. M. Gould Counsel
 (Signature of Plaintiff 1)

Burgo F. M. Gould Counsel
 (Signature of Plaintiff 2)

Burgo F. M. Gould Counsel
 (Signature of Plaintiff 3)

It is not the responsibility of the Court to review each document and determine whether personal information has properly been protected. Every document submitted for filing will be docketed and made publicly accessible over the Court's electronic filing system. If, after docketing, you determine that a document contains personal information that you want to treat as confidential, you must file a "Motion to Seal" with the Court, giving your reasons for your privacy concerns. If the Motion to Seal is granted, the Court will remove the electronic link to the document in question from the public docket and mark the entry "sealed". The Court may also require you to file another version of the document that does not contain the private information or that contains only limited personal information.

Mail the original and required number of copies of your complaint to the Clerk of Court at the following address:

Clerk
U.S. District Court
Lockbox 18
844 N. King Street
Wilmington, DE 19801

Message Correa should be released in July 16 2008
The Department of Correction is holding Correa on the wrong
Effective AS OF 12/05/07

SEE SENTENCE ORDER
At Hand

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GUANGO F. CORREA, :
 :
 Petitioner, :
 :
 v. : Civil Action No. 07-151-JJF
 :
 PERRY PHELPS, Warden, and :
 ATTORNEY GENERAL OF THE :
 STATE OF DELAWARE, :
 :
 Respondents. :

O R D E R

Petitioner Guango F. Correa has filed a letter Motion For Reconsideration, asking the Court to reconsider its denial of his habeas application. (D.I. 22.) A motion for reconsideration should be granted to correct manifest errors of law or fact or to present newly discovered evidence. Harsco Corp. v. Zlotnicki, 779 F.2d 906, 909 (3d Cir. 1985). Accordingly, a court may grant a motion for reconsideration if the moving party shows one of the following: (1) an intervening change in the controlling law; (2) the availability of new evidence that was not available when the court issued its order; or (3) the need to correct a clear error of law or fact or to prevent a manifest injustice. Max's Seafood Café v. Quinteros, 176 F.3d 669, 677 (3d Cir. 1999) (citing North River Ins. Co. v. CIGNA Reinsurance Co., 52 F.3d 1194, 1218 (3d Cir. 1995)). A motion for reconsideration is not appropriate to reargue issues that the court has already considered and decided.

Done

Brambles USA Inc. v. Blocker, 735 F. Supp. 1239, 1240 (D.Del. 1990).

On May 9, 2008, the Court dismissed Petitioner's federal habeas application as second or successive, and alternatively, as procedurally barred. (D.I. 20; D.I. 21.) In his Motion, Petitioner argues that he has demonstrated cause and prejudice sufficient to excuse his procedural default, and he attaches a copy of his original habeas application to support his argument. (D.I. 22.) The Court has already considered, and rejected, Petitioner's argument. Moreover, to the extent Petitioner suggests that the Court committed a clear error of law, the Court is unpersuaded. Therefore, the Court concludes that Petitioner's argument does not warrant reconsideration of its decision.

Now Therefore, It Is Hereby Ordered that Petitioner's Motion To Alter The Judgment (D.I. 22.) is **DENIED**. The Clerk of the Court is directed to close the case.

August 13, 2008
DATE

Joseph F. Tama
UNITED STATES DISTRICT JUDGE